

5575. Misbranding of cottonseed meal. U. S. * * * v. John R. Lanier, Edwin B. Lanier, and Brown H. Lanier (Lanier Bros.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 8064. I. S. No. 9165-1.)

On April 28, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John R. Lanier, Edwin B. Lanier, and Brown H. Lanier, trading as Lanier Bros., Nashville, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 28, 1915, from the State of Tennessee into the State of New Hampshire, of a quantity of an article labeled in part, "Jersey Brand Cottonseed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)_____	13.22
Protein (N x 6.25) (per cent)_____	37.19

Lower in protein and higher in crude fiber than stated on the label.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the label, to wit, "Protein 38.62% * * * Crude Fiber (maximum 10%)," were false and misleading in that they represented to purchasers that said article contained not less than 38.62 per cent protein and not more than 10 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 38.62 per cent protein and not more than 10 per cent fiber, when, in truth and in fact, it contained less than 38.62 per cent protein and more than 10 per cent fiber; and for the further reason that said article consisted of food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 11, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*